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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 In re: JEROME TALLEY,  
9 Respondent.  
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CASE NO. MC15-164MJP  
ORDER ON MOTION FOR  
RECONSIDERATION

11 Respondent previously filed a proposed “Petition Under 28 U.S.C. § 2254 for Writ of  
12 Habeas Corpus by a Person in State Custody.” Dkt. #14. After reviewing the pleading in light of  
13 the Bar Order under which Respondent is currently operating (Dkt. #3) and under 28 U.S.C. §  
14 1915(g), this Court declined to file the pleading and barred Respondent from proceeding. The  
15 rationale was simple: both under the Bar Order and § 1915(g), Respondent must file an affidavit  
16 declaring under penalty of perjury that he is in “imminent danger of serious bodily injury or death.”  
17 His pleading contained no such declaration. Dkt #15 at 2.

18 Respondent has now filed a Motion for Reconsideration of that order. Dkt. #17. Local  
19 Rule 7(h) governs such motions:

20 Motions for reconsideration are disfavored. The court will ordinarily deny  
21 such motions in the absence of a showing of manifest error in the prior ruling  
22 or a showing of new facts or legal authority which could not have been  
23 brought to its attention earlier with reasonable diligence.  
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1 Respondent's motion does not satisfy this standard. He alleges no manifest error in the  
2 Court's prior ruling, nor does he present new facts or legal authority which he claims could not  
3 have been brought to the Court's attention earlier. While he does include within the motion for  
4 reconsideration an allegation that "he is in imminent danger of serious physical bodily injury or  
5 his death if he is not transferred from the Washington State Department of Corrections" (Dkt #17  
6 at 3), it is an empty recitation devoid of any supporting factual evidence. Nor is there any showing  
7 of why he could not have come forth with such an allegation (along with corroborating evidence)  
8 when he first filed his motion.

9 Accordingly, Respondent's request for reconsideration of the Court's previous order is  
10 DENIED.

11 The Clerk is ordered to provide copies of this order to Respondent and to all counsel of  
12 record.

13 Dated: June 28, 2017.

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15 RICARDO S. MARTINEZ  
16 CHIEF UNITED STATES DISTRICT JUDGE  
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